

SPECIAL MEETING
May 21, 2002

The Special Meeting of the Annapolis City Council was held on May 21, 2002 in the Council Chamber. Mayor Moyer called the meeting to order at 7:02 p.m.

Present on Roll Call: Mayor Moyer, Aldermen Hammond, Tolliver, Hoyle, Kelley, Carter, Cohen

Aldermen Cordle and Fox were absent.

Staff Present: City Attorney Goetzke, Civil Engineer II Brice

PUBLIC HEARINGS

Constant Yield Tax Rate

No one from the general public spoke in favor of or in opposition to the Constant Yield Tax Rate.

O-18-02 **For the purpose of adopting an operating budget for the City of Annapolis for the fiscal year 2002-2003, beginning July 1, 2002 and ending June 30, 2003; to appropriate funds for expenditures for the fiscal year beginning July 1, 2002 and ending June 30, 2003; for the purpose of defraying all expenses and liabilities of the City of Annapolis and levying same for the purposes specified; specifying certain duties of the Director of Finance, specifying a rate of interest to be charged upon overdue-property taxes; and all matters generally relating to said budget and property tax rate.**

Amendments

Spoke in favor of the amendments:

C Van Nield, Chairman, OIC, 1908 Forest Drive, Suite H, Annapolis, MD 21401
C Jim Turner, Operations Manager, OIC, 1908 Forest Drive, Suite H, Annapolis, MD 21401

No one else from the general public spoke in favor of or in opposition to the ordinance.

O-20-02 **For the purpose of specifying the number of vehicles and motorcycles allowed to park in any single metered parking space; providing that each motorcycle parked in any single metered parking space beyond the parking time limit for the parking space shall be in violation and subject to the penalties for meter violations; and matters generally relating to said violation.**

Spoke in favor of the ordinance:

C Svienn C. Storm, Owner, Storm Brothers Ice Cream Factory, 130 Dock Street, Annapolis, MD 21401
C Brendan Fisher, Co-Owner, Armadillo's, 132 Dock Street, Annapolis, MD 21401
C Tom Dougan, Co-Owner, Armadillo's, 1017 Pinecrest Drive, Annapolis, MD 21403

No one else from the general public spoke in favor of or in opposition to the ordinance.

Mayor Moyer declared the public hearing closed.

R-15-02 **For the purpose of approving the fee schedule pursuant to the adoption of the current expense budget for the City of Annapolis for the fiscal year 2002-2003, beginning July 1, 2002 and ending June 30, 2003; and all matters relating to said fee schedule.**

No one from the general public spoke in favor of or in opposition to the ordinance.

Mayor Moyer declared the public hearing closed.

LEGISLATIVE ACTION

O-10-02 For the purpose of repealing and adding new Annapolis City Code Chapter 17.10, Stormwater Management; and matters generally relating to said Stormwater Management.

Civil Engineer II Brice gave a presentation on O-10-02 Stormwater Management and answered questions from the Council.

Spoke in favor of reconsideration of O-10-02:

C Steve Linhard, Annapolis Environmental Commission, 1004 Jackson Street, Annapolis, MD 21403

C Tom Howard, Crab Cove, LLC, 69 West Street, Annapolis, MD 21401

Alderman Cohen moved to reconsider the May 13, 2002 decision of the City Council to table the ordinance and refer it back to committee. Seconded. Carried on voice vote.

Alderman Tolliver moved to adopt O-10-02 on second reading. Seconded. Carried on voice vote.

Alderman Tolliver moved to amend O-10-02 as follows:

CITY COUNCIL OF THE CITY OF ANNAPOLIS

ORDINANCE NO. O-10-02 Revised #2

Introduced by Mayor Moyer

AN ORDINANCE concerning

STORMWATER MANAGEMENT

FOR the purpose of repealing and adding new Annapolis City Code Chapter 17.10, Stormwater Management; and matters generally relating to said Stormwater Management.

* * * * *

BY repealing it its entirety
Title 17 Buildings and Construction
Chapter 17.10 Stormwater Management
Sections 17.10.010 - 7.10.180
Code of the City of Annapolis
(1996 Edition and Supplement)

BY adding new
Title 17 Buildings and Construction
Chapter 17.10 Stormwater Management
Sections 17.10.010 - 7.10.200
(1996 Edition and Supplement)

SECTION I: BE IT ESTABLISHED AND ORDAINED BY THE ANNAPOLIS CITY COUNCIL that the Code of the City of Annapolis shall read as follows:

Chapter 17.10

STORMWATER MANAGEMENT

Sections:

- ~~17.10.010 Purpose.~~
- ~~17.10.020 Interpretation.~~
- ~~17.10.030 Application--Required.~~
- ~~17.10.040 Facilities--Minimum standard.~~
- ~~17.10.050 Preferred practices.~~
- ~~17.10.060 Analytical methods.~~
- ~~17.10.070 Plans and specifications.~~
- ~~17.10.080 Watershed and floodplain conformance.~~
- ~~17.10.090 Right-to-discharge.~~
- ~~17.10.100 Exemptions, waivers and modifications.~~
- ~~17.10.110 Ownership and maintenance of stormwater management facilities.~~
- ~~17.10.120 Stormwater utility.~~
- ~~17.10.130 Construction guarantee.~~
- ~~17.10.140 Private facility inspection and maintenance agreement.~~
- ~~17.10.150 Responsibility of applicant or owner.~~
- ~~17.10.160 Inspection program--City-maintained facilities.~~
- ~~17.10.170 Inspection program--Private facilities.~~
- ~~17.10.180 Emergency authority.~~

~~Section 17.10.010 Purpose.~~

The purpose of stormwater management is to protect and promote the public health, safety and general welfare through the management of stormwater, to protect public and private property from damage, to reduce the effects of land use changes on stream channel erosion, to maintain and assist in the improvement of water quality, and to preserve and enhance the environmental quality of streams and stream valleys. It is the expressed intent of this chapter to require that stormwater management, as it addresses water quality, be provided for all developed land within the city.

(Ord. O-5-88 § 1 (part))

~~Section 17.10.020 Interpretation.~~

In interpreting and applying this chapter, the stated requirements are declared to be minimum requirements which are imposed and are to be conformed to, and are in addition to, and not in lieu of, all other legal requirements, and shall be interpreted to accomplish the purposes set forth in this chapter.

(Ord. O-5-88 § 1 (part))

~~Section 17.10.030 Application--Required.~~

A. Preliminary approval may not be granted for any subdivision plat unless an applicant includes preliminary stormwater management plans and designs as required by the director for the proposed on-site development and for related off-site stormwater controls according to the provisions of this chapter.

B. Final approval may not be granted for a subdivision plat unless an applicant includes final stormwater management plans and designs as required by the director for the proposed development according to the provisions of this chapter. Easements shall be platted and recorded for all stormwater management facilities as required by the director. Stormwater management facilities shall be public, owned and maintained upon the request of the director, and in accordance with the city's watershed management program.

C. A building or grading permit may not be issued unless an applicant submits

plans and design criteria in accordance with the requirements of this chapter providing for stormwater management on the applicant's proposed development or development and the plans and criteria are approved.

D.——All stormwater management plans required by this chapter are subject to the approval of the director. The director may include in the approval any recommendations of the Anne Arundel soil conservation district that the director determines to be appropriate.

(Ord. O-5-88 § 1 (part))

Section 17.10.040 Facilities--Minimum standard.

A.——An applicant shall install or construct, on or for the proposed land development, those stormwater management facilities necessary to manage increased runoff so that the two-year and ten-year predevelopment peak discharge rates are not exceeded and accelerated channel erosion will not occur as a result of the proposed land development.

B.——In determining the predevelopment conditions, the hydrologic soil cover is to be classified as "meadow, in good condition" per the USDA Soil Conservation Service soil classifications. Actual coverage, if better than good meadow, shall govern.

C.——An applicant shall install or construct on or for the proposed land development those stormwater management facilities necessary to provide for water quality management. The facilities shall be capable of reducing the keystone pollutant loads generated from the proposed development to the level of at least ten percent below the loading conditions of the site in its existing conditions. Design and evaluation methods shall be approved by the director.

(Ord. O-5-88 § 1 (part))

Section 17.10.050 Preferred practices.

A.——The following stormwater management practices shall be investigated in developing a stormwater management plan, according to the following order of preference:

1.——Infiltration of runoff on the site, provided suitable soil classifications and adequate depth between the bottom of the infiltration practice and the seasonal high water table or bedrock are available for use;

2.——Stormwater retention structures (i.e., wet ponds) that are designed to remove a minimum of seventy percent of transported sediment; and

3.——Stormwater detention structures (i.e., dry ponds) that are designed for extended detention, specifically, the one-year twenty-four-hour-frequency storm event shall be managed for an extended twenty-four hours.

B.——A combination of successive practices may be used to achieve the applicable minimum control requirements. Justification shall be provided by the applicant for rejecting each practice based on site conditions.

C.——Wherever possible, the applicant shall incorporate and enhance existing natural topography and land cover such as wetlands, ponds, natural swales, and depressions into the proposed development design.

D.——Stormwater management practices shall be designed for water quality enhancement and to facilitate maintenance. All retention and detention basins shall contain forebays to facilitate the maintenance of the basins. The forebays shall accommodate an approved percentage of the total volume of the basin, based on accepted engineering

practices.

(Ord. O-5-88 § 1 (part))

Section 17.10.060 Analytical methods.

A. Hydrologic models and design methodologies used for the determination of runoff and analysis of stormwater management structures shall be approved by the Maryland Department of the Environment, or the director.

B. The department recommends the use of the USDA Soil Conservation Service hydrological models and design methodologies.

(Ord. O-5-88 § 1 (part))

Section 17.10.070 Plans and specifications.

A. Plans and specifications shall comply with general requirements as described in Section 17.08.060 and the specific design requirements of this chapter.

B. Stormwater management facilities shall be designed or certified by a registered engineer.

C. Stormwater management facilities shall be designed to minimize the need of maintenance, to provide access for maintenance purposes and to be structurally sound.

D. All stormwater management facilities shall be designed in accordance with standard construction specifications and details established, and promulgated by the city, and in consideration of COMAR 08.05.05.08, stormwater management design criteria.

1. Prior to approval of a stormwater management design, the applicant shall submit a proposed staged inspection and construction control schedule. The permittee shall provide for regular inspections, certified by a registered professional engineer, to be conducted during construction of stormwater management systems in accordance with accepted design procedures.

2. The permittee shall notify the department both before commencing any work to implement the stormwater management design and upon completion of the work.

3. No stage of work involving the installation of stormwater management facilities shall proceed until the work previously completed is inspected and approved.

4. Any portion of the work which does not comply with the stormwater management design shall be corrected promptly by the permittee.

5. A final inspection shall be conducted upon completion of the stormwater management facility to determine if the completed work is constructed in accordance with the approved stormwater management design.

E. Design guidelines may include, where determined appropriate by the director, stormwater management designs and practices used in other jurisdictions where those designs and practices satisfy the intent of this chapter.

F. Certified as-built plans of the facilities shall be forwarded to the department upon completion of the facility. A professional engineer shall certify that the facility has been constructed as shown on the as-built plans and meets the approved stormwater management design and specifications.

(Ord. O-5-88 § 1 (part))

~~Section 17.10.080 Watershed and floodplain conformance.~~

~~Stormwater management and development plans shall be consistent with department watershed management plans, and floodplain management plans in accordance with Chapter 17.11 and with the Flood Hazard Management Act of 1976 (and any subsequent revisions).~~

~~(Ord. O-5-88 § 1 (part))~~

~~Section 17.10.090 Right-to-discharge.~~

~~If a stormwater management plan involves conveyance of some, or all, runoff from the site, it will be the responsibility of the developer to obtain from adjacent property owners any necessary easements or other property interests concerning flowage of water. Approval of a stormwater management plan does not create or affect any real property rights.~~

~~(Ord. O-5-88 § 1 (part))~~

~~Section 17.10.100 Exemptions, waivers and modifications.~~

~~The granting of an exemption, a waiver or the approval of a stormwater management alternative shall not relieve the applicant of the responsibility of providing additional stormwater drainage or other facilities, either on-site or off-site, as may be determined to be necessary by the department to avoid or minimize damage to the subject property, to upstream, adjacent and downstream properties, and to receiving channels and waterways.~~

~~A. The following development activities are exempt from water quality and water quantity management:~~

~~1. Grading activities that are subject exclusively to state approval and enforcement under state law or regulations;~~

~~2. Additions or modifications to existing one-family or two-family residential structures, or construction of accessory structures on lots improved by these structures;~~

~~3. Development on a non-waterfront lot that does not disturb more than five thousand square feet of land area;~~

~~4. Development on a waterfront lot that does not disturb more than two thousand square feet of land area; and~~

~~5. Agricultural land management activities.~~

~~B. A waiver may be granted if it is determined by the department that a waiver does not present an unacceptable risk of flooding, water quality degradation, or other stormwater damage resulting from the land disturbing and development activity on and to the subject drainage area, and if the waiver is in the best interest of the city, considering, among other things, the cost of the alternative to the city, the effectiveness and safety of the alternative, past experience or lack thereof with the alternative or with the applicant, any anticipated or potential maintenance problem with the alternative.~~

~~1. A waiver may be granted to on-site water quantity management by the director if:~~

~~a. The site is completely surrounded by ultimate developed conditions which is served by an existing network of public storm drainage systems of adequate capacity to accommodate the runoff from the additional development, and for which outfall conditions~~

for the drainage system are stable;

b. The applicant submits an acceptable alternative, such as an off-site stormwater management facility, that fulfills the intent and the provisions of this chapter as determined by the director;

c. The site is immediately adjacent to tidewaters and water quantity management would not serve the intent of this chapter; or

d. The applicant agrees to make a monetary contribution to the stormwater utility, as outlined in subsection C of this section.

2. Water quality management is required of all development and shall be achieved by managing the first one-half inch of runoff for all the impervious surfaces of the site and any additional requirements as determined by the director. A waiver may be granted to on-site water quality management if:

a. The applicant submits an acceptable alternative, such as an off-site stormwater management facility, that fulfills the intent and the provisions of this chapter; or

b. The applicant agrees to make a monetary contribution to the stormwater utility, as outlined in subsection C of this section.

C. If the department determines that an on-site stormwater management facility will not be sufficiently effective or will not be in the city's interest, the department may require that a monetary contribution be made to the stormwater utility provided that the amount of the contribution required by the department shall not exceed the cost of the otherwise required on-site stormwater management facility, including the value of the land used, landscaping, and maintenance which shall be presumed to equal the cost of construction.

D. Any applicant aggrieved by a refusal to grant a waiver or modification of any stormwater management requirement by the director may appeal that decision, in writing, to the building board of appeals within fifteen calendar days of the decision.

E. The provisions of this chapter do not apply to sites for which grading and building permits have been approved on or before the effective date of the ordinance codified in this chapter.

(Ord. O-5-88 § 1 (part))

Section 17.10.110 Ownership and maintenance of stormwater management facilities.

A. Any stormwater management measure which serves a single lot or facility shall be owned and maintained privately.

B. All stormwater management measures relying on vegetated areas or site features shall be owned and maintained privately.

C. Upon the discretion of the director, all other stormwater management facilities shall be owned and maintained publicly.

(Ord. O-5-88 § 1 (part))

Section 17.10.120 Stormwater utility.

1 A. ~~The purpose of the stormwater utility is to establish a source of dedicated~~
2 ~~moneys that shall be used by the department for land acquisition (including easements and~~
3 ~~rights-of-way), and the study, engineering, design, purchase, construction, expansion,~~
4 ~~repair, maintenance, landscaping and inspection of public stormwater management~~
5 ~~systems.~~

6
7 B. ~~The fee schedule shall be as follows:~~

8
9 1. ~~For those applicants pursuing a waiver to on-site water quantity and water~~
10 ~~quality management under Section 17.10.100, the fee may be in the form of a monetary~~
11 ~~contribution, land conveyance or stormwater management facility construction, or~~
12 ~~combination of forms as agreed to by the department. The fee schedule to on-site water~~
13 ~~quantity and water quality management shall be established by resolution by the city~~
14 ~~council.~~

15
16 2. ~~For all properties within the city limits, the stormwater utility fee schedule shall~~
17 ~~be established by resolution by the city council.~~

18
19 C. ~~As it pertains to this chapter, the director is not required to accept a~~
20 ~~contribution which, in the director's determination, either will not cover adequately the cost~~
21 ~~to the city of managing the stormwater generated from the subject property or otherwise~~
22 ~~will not be in the interest of the city.~~

23
24 (~~Ord. O-5-88 § 1 (part)~~)

25
26 **~~Section 17.10.130 Construction guarantee.~~**

27
28 ~~An applicant shall guarantee to the city the construction of stormwater management~~
29 ~~facilities by executing a performance bond or irrevocable letter of credit, in an amount equal~~
30 ~~to the estimated cost of construction as approved by the director.~~

31
32 (~~Ord. O-5-88 § 1 (part)~~)

33
34 **~~Section 17.10.140 Private facility inspection and maintenance agreement.~~**

35
36 ~~Prior to the issuance of any building or grading permit which has a private~~
37 ~~stormwater management facility as one of the requirements of the permit, the director shall~~
38 ~~require the owner to execute an inspection and maintenance agreement binding on all~~
39 ~~subsequent owners of land served by the on-site stormwater management facility. The~~
40 ~~agreement shall provide for access to the facility at reasonable times, for periodic~~
41 ~~inspection by the city or its contractor or agent, and for regular or special assessments of~~
42 ~~property owners to ensure that the facility is maintained in properly working condition to~~
43 ~~meet design standards and any provisions established and required by this chapter. The~~
44 ~~agreement shall be recorded by the applicant or owner in the land records of the county.~~
45 ~~The agreement also shall provide that if, after notice by the director to correct a violation~~
46 ~~of this chapter, satisfactory corrections are not made by the owner, the director may cause~~
47 ~~to be performed all necessary work to place the facility in proper working condition and may~~
48 ~~assess the owner of the facility for the cost of the work and any penalties, and that the cost~~
49 ~~of the work shall be a lien on the property, or prorated against the beneficial users of the~~
50 ~~property, and may be placed on the tax bill and collected as ordinary taxes by the city.~~
51 ~~Interest shall be charged to the property owner at the maximum legal annual rate of interest~~
52 ~~until the owner has satisfied the bill owing to the city.~~

53
54 (~~Ord. O-5-88 § 1 (part)~~)

55
56 **~~Section 17.10.150 Responsibility of applicant or owner.~~**

57 ~~An applicant or property owner is responsible for the installation of stormwater~~
58 ~~management facilities under conditions and regulations set forth in the provisions of this~~
59 ~~chapter.~~

(Ord. O-5-88 § 1 (part))

Section 17.10.160 Inspection program--City-maintained facilities.

All stormwater management facilities to be accepted by the city for maintenance shall be constructed in accordance with all provisions of Title 20 of this code. Preventive maintenance shall be ensured through inspection of all infiltration systems, retention or detention structures by the department. The inspection shall occur during the first year of operation and at least once every three years after the first year.

(Ord. O-5-88 § 1 (part))

Section 17.10.170 Inspection program--Private facilities.

In accordance with COMAR 08.05.05.09, the director shall take action to require that private stormwater management facilities shall be inspected during construction, during the first year of operation, and at least once every three years thereafter.

(Ord. O-5-88 § 1 (part))

Section 17.10.180 Emergency authority.

If the director determines that the condition of any stormwater management facility, storm drainage system or drainage way presents an immediate danger to the public health or safety because of an unsafe condition or improper maintenance, the director shall take any actions as may be necessary to protect the public. Costs incurred by the city as a result of the director's action shall be assessed against any or all of the owners of the property served by the facility, who shall be jointly and severally subject to a lien for the costs which may be placed on the tax bill of any or all property and collected as property taxes.

(Ord. O-5-88 § 1 (part))

- 17.10.010 Purpose and authority.
- 17.10.020 Department of public works - duties.
- 17.10.030 Director of public works - authority.
- 17.10.040 Guide for stormwater management.
- 17.10.050 Definitions.
- 17.10.060 Application.
- 17.10.070 Exemptions.
- 17.10.080 Stormwater management criteria.
- 17.10.090 Specific design criteria and analytical methods.
- 17.10.100 Stormwater management plans.
- 17.10.110 Right-to-discharge.
- 17.10.120 Waivers.
- 17.10.130 Reserved.
- 17.10.140 Modifications.
- 17.10.150 Permits.
- 17.10.160 Performance bond.
- 17.10.170 Ownership and maintenance of stormwater management facilities.
- 17.10.180 Stormwater utility fund.
- 17.10.190 Private stormwater management facility inspection and maintenance agreement.
- 17.10.200 Responsibility of permittee and owner.
- 17.10.210 Inspection program.
- 17.10.220 Emergency authority.
- 17.10.230 Interpretation.
- 17.10.240 Penalties.
- 17.10.250 Severability.
- Section 17.10.010 Purpose and authority.

The purpose of stormwater management is to protect and promote the public health, safety and general welfare through the management of stormwater, to protect public and private property from damage, to reduce the effects of land use changes on stream channel erosion, to maintain and assist in the improvement of water quality, and to preserve and enhance the environmental quality of streams and stream valleys. It is the expressed intent of this Chapter to require that stormwater management, as it addresses water quality, be provided for all developed land within the City.

The provisions of this Chapter are adopted pursuant to the Environment Article, Title 4, Subtitle 2, of the Annotated Code of Maryland, 1996 replacement volume, and the Charter of the City of Annapolis and shall apply to all development occurring within the corporate limits of the City of Annapolis. The application of this Chapter and the requirements set forth herein shall be the minimum stormwater management requirements applicable in the City and shall not be deemed a limitation or repeal of any other powers granted by State statute. The City of Annapolis, Department of Public Works shall be responsible for the coordination and enforcement of the provisions of this Chapter.

Section 17.10.020 Department of public works--duties.

The Department of Public Works shall be responsible for the enforcement of the provisions of this Chapter.

Section 17.10.030 Director of public works--authority.

In addition to such other authority as may be assigned to the Director of Public Works, pursuant to this chapter, all stormwater management plans required by this Chapter are subject to the approval of the Director. The Director of Public Works may include in the approval of such plans, any recommendation of the Anne Arundel Soil Conservation District that the Director of Public Works determines to be appropriate.

Section 17.10.040 Guide for stormwater management.

The 2000 Maryland Stormwater Design Manual, Volumes I & II (Maryland Department of the Environment, April 2000) and the USDA Natural Resources Conservation Service Maryland Conservation Practice Standard Pond Code 378 (January 2000) shall serve as the guide for stormwater management principles, methods, and practices in the City of Annapolis.

Section 17.10.050 Definitions.

For the purpose of this Chapter, the following terms shall have the definitions indicated:

- A. "Administration" means the Maryland Department of the Environment (MDE) Water Management Administration (WMA).
- B. "Agricultural land management practices" means those methods and procedures used in the cultivation of land in order to further crop and livestock production and conservation of related soil and water resources.
- C. "Applicant" means any person, firm, or governmental agency that executes the necessary forms to procure official approval of a project or of a permit to carry out construction of a project.
- D. "Best Management Practices" (BMP) means a structural or nonstructural practice designed to temporarily store or treat stormwater runoff in order to mitigate flooding, reduce pollution, and provide other amenities.
- E. "Channel Protection Storage Volume (Cp_v)" means the volume used to design structural management practices to control stream channel erosion. Methods for

- calculating the channel protection storage volume are specified in the 2000 Maryland Stormwater Design Manual, Volumes I & II.
- F. "Clearing" means the removal of trees and brush from the land but shall not include the ordinary mowing of grass.
- G. "Design Manual" means the 2000 Maryland Stormwater Design Manual Volumes I & II (Maryland Department of the Environment, April 2000) that serves as the official guide for stormwater management principles, methods, and practices.
- H. "Drainage area" means that area contributing runoff to a single point measured in a horizontal plane, which is enclosed by a ridgeline.
- I. "Detention Structure" means a permanent structure for the temporary storage of runoff, which is designed so as not to create a permanent pool of water.
- J. "Direct Discharge" means the concentrated release of stormwater to tidal waters or vegetated tidal wetlands from new development or redevelopment projects in the Critical Areas.
- K. "Easement" means a grant or reservation by the owner of land for the use of such land by others for a specific purpose or purposes, and which must be included in the conveyance of land affected by such easement.
- L. "Exemption" means those land development activities that are not subject to the stormwater management requirements contained in this Chapter.
- M. "Extreme flood volume (Q_f)" means the storage volume required controlling those infrequent but large storm events in which overbank flows reach or exceed the boundaries of the 100-year floodplain.
- N. "Grading," means any act by which soil is cleared, stripped, stockpiled, excavated, scarified, filled or any combination thereof.
- O. "Infiltration" means the passage or movement of water into the soil surface.
- P. "Modification" means the change to the minimum stormwater management requirements for specific circumstances granted by the Director of Public Works based upon a showing by the applicant that strict adherence to the requirements would result in an unreasonable necessary hardship and not fulfill the intent of this Chapter.
- Q. "New Development" means any construction, alteration, or improvement exceeding 5,000 square feet of land disturbance performed on sites where existing land use is rural, agricultural or single family residential on lots larger than 15,000 square feet.
- R. "Off-site stormwater management" means the design and construction of a stormwater management facility necessary to control stormwater from more than one development.
- S. "On-site stormwater water management" means the design and construction of facilities necessary to control stormwater within a site.
- T. "Overbank flood protection volume (Q_p)" means the volume controlled by structural practices to prevent an increase in the frequency of out of bank flooding generated by development. Methods for calculating the overbank flood protection volume are specified in the Design Manual.
- U. "Recharge volume (Re_v)" means that portion of the water quality volume used to maintain groundwater recharge rates at development sites. Methods for calculating

the recharge volume are specified in the Design Manual.

V. "Redevelopment" means any construction, alteration, or improvement exceeding 5,000 square feet of land disturbance performed on sites where existing land use is commercial, industrial, institutional, multifamily residential or single family on lots smaller than 15,000 square feet.

W. "Regional Stormwater Management Facility" means a stormwater management facility intended to control stormwater runoff from several separately owned parcels or developments within a watershed. "Regional Stormwater Management Facility" does not include multi-lot stormwater management facilities, subdivision facilities or other stormwater management facilities constructed in connection with development or redevelopment, whether concurrently or in phases, of a site, or contiguous sites, by a single owner or a single owner's successor in title.

X. "Retention Structure" means a permanent structure that provides for the storage of runoff by means of a permanent pool of water.

Y. "Retrofitting" means the construction of a structural BMP in a previously developed area, the modification of an existing structural BMP, or the implementation of a nonstructural practice to improve water quality over current conditions.

Z. "Site" means:

1. For "new development" any tract, lot, or parcel of land or combination of tracts, lots or parcels of land, which are in one ownership, or are contiguous and in diverse ownership where development is to be performed as part of a unit, subdivision, or project.

2. For "redevelopment" the area of new construction as shown on an approved site plan or the original parcel. Final determination of the applicable area shall be made by the Department of Public Works.

AA. "Stormwater management" means:

1. For quantitative control, a system of vegetative and structural measures that control the increased volume and rate of surface runoff caused by man-made changes to the land; and

2. For qualitative control, a system of vegetative, structural, and other measures that reduce or eliminate pollutants that might otherwise be carried by surface runoff.

BB. "Stormwater Management Plan" means a set of drawings or other documents submitted by a person as a prerequisite to obtaining a stormwater management approval, which contain all of the information and specifications pertaining to stormwater management.

CC. "Stripping" means any activity that removes the vegetative surface cover including tree removal, clearing, grubbing and storage or removal of topsoil.

DD. "Waiver" means the relinquishment from stormwater management requirements by the Director of Public Works for a specific development on a case-by-case review basis.

1. "Qualitative stormwater management waiver" means a relinquishment of water quality volume and recharge volume parameters.

2. "Quantitative stormwater management waiver" means a relinquishment of

channel protection storage volume, overbank flood protection volume, and extreme flood volume design parameter.

EE. "Watershed" means the total drainage area contributing runoff to a single point.

FF. "Water quality volume (WQ_v)" means the volume needed to capture and treat the runoff from 90 percent of the average annual rainfall at a development site. Methods for calculating the water quality volume are specified in the Design Manual.

Section 17.10.060 Application.

A. Scope.

No person shall develop any land for residential, commercial, industrial, or institutional uses without having provided stormwater management measures that control or manage runoff from such development, except as provided within this Chapter. The stormwater management measures shall be designed consistent with the Design Manual and shall be constructed according to (i) for new development, the policies stated in Section 17.10.080 A or, (ii) for redevelopment, the policies stated in Section 17.10.080 B.

B. Application--Required.

1. Preliminary approval may not be granted for any subdivision plat unless an applicant includes preliminary stormwater management plans and designs as required by the Director of Public Works for the proposed on-site development and for related off-site stormwater controls according to the provisions of this Chapter.
2. Final approval may not be granted for a subdivision plat unless an applicant includes stormwater management plans and designs for the proposed development in sufficient detail as required by the Director of Public Works according to the provisions of this Chapter. Easements shall be platted and recorded for all stormwater management facilities as required by the Director of Public Works. Stormwater management facilities shall be publicly owned and maintained upon the request of the Director of Public Works, and in accordance with the City's watershed management program.
3. An application for a building or grading permit shall include a stormwater water management plan in accordance with the provisions of this Chapter providing for stormwater management of the applicant's proposed development or redevelopment. No building or grading permit may be issued unless a stormwater management plan for the development or redevelopment has been approved by the Director of Public Works according to the provisions of this Chapter. Construction of the development or redevelopment shall be in accordance with the stormwater management plan approved by the Director.

Section 17.10.070 Exemptions.

The following development activities are exempt from the provisions of this Chapter and are not required to provide stormwater management:

A. Agricultural land management activities;

B. An addition or modification to an existing single-family detached residential structure **provided** the addition or modification complies with Subsection C or D of this Section;

C. Development on a non-waterfront lot that does not disturb more than 5,000 square

feet of land area or create 3,000 square feet or more of impervious surface;

D. Development on a waterfront lot that does not disturb more than 2,000 square feet of land area and does not require a Grading Permit.

E. Any land development activity that the Administration determines is regulated by specific State laws governing the management of stormwater runoff.

Section 17.10.080 Stormwater management criteria.

A. Except in the case of redevelopment, every stormwater management plan shall satisfy the following requirements:

1. Recharge volume, water quality volume and channel protection storage volume sizing criteria shall be used to design Best Management Practices according to the Design Manual.
2. Control of the 10-year frequency storm event shall be required according to the Design Manual if the Director of Public Works determines that historical flooding problems exist and impact existing downstream floodplain development.
3. The Director of Public Works may require more than the minimum control requirements specified in this Section if hydrologic or topographic conditions warrant or if flooding, stream channel erosion, or water quality problems exist downstream from a proposed project.

B. In the case of redevelopment, every stormwater management plan shall satisfy the following requirements.

1. The stormwater management plan shall be consistent with the Design Manual.
2. The stormwater management plan shall reduce existing site impervious areas by at least 20 percent. Where site conditions prevent the reduction of impervious area by 20 percent, the stormwater management plan shall provide qualitative control for at least 20 percent of the site's existing impervious area (or proposed impervious area whichever is greater). When a combination of impervious area reduction and stormwater practice implementation is used, the combined area shall equal or exceed 20 percent of the site's impervious area (existing or proposed whichever is greater).
3. Upon application by the owner or his agent, the Director of Public Works may waive the requirements of the preceding paragraph if conditions prevent impervious area reduction or on-site stormwater management. In granting such a waiver, the Director shall direct the applicant to appropriate alternative action, including but not limited to:
 - a. Monetary contributions in accordance with Section 17.10.120D;
 - b. Off-site BMP implementation for a drainage area comparable in size and percent imperviousness to that of the project;
 - c. Watershed or stream restoration;
 - d. Retrofitting; and/ or
 - e. Other practices not inconsistent with the purposes of this Chapter.

C. Stormwater Management Measures.

The structural and nonstructural stormwater management measures established in this Section shall be used, either alone or in a combination, in developing a stormwater management plan.

1. Structural Stormwater Management Measures.

a. The following structural stormwater management practices shall be designed according to the Design Manual to satisfy the applicable minimum control requirements established in Section 17.10.080A of this Section.

i. Stormwater management ponds;

ii. Stormwater management wetlands;

iii. Stormwater management infiltration;

iv. Stormwater management filtering systems; and

v. Stormwater management open channel systems.

b. The performance criteria specified in the Design Manual with regard to general feasibility, conveyance, pretreatment, treatment and geometry, environment and landscaping, and maintenance shall be considered when selecting structural stormwater management practices.

2. Nonstructural Stormwater Management Measures.

a. The following nonstructural stormwater management practices shall be applied according to the Design Manual to minimize increases in new development runoff:

i. Natural area conservation;

ii. Disconnection of rooftop runoff;

iii. Disconnection of non-rooftop runoff;

iv. Sheet flow to buffers;

v. Grass channels; and

vi. Environmentally sensitive development.

b. The use of nonstructural stormwater management practices shall be encouraged to minimize the reliance on structural BMP's.

c. The minimum control requirements listed in Section 17.10.080A may be reduced, according to the Design Manual, when nonstructural stormwater management practices are incorporated into site designs.

d. The use of nonstructural stormwater management practices may not conflict with existing State or local laws, ordinances, regulations, or policies.

e. Nonstructural stormwater management practices used to reduce the minimum control requirements shall be identified in the Stormwater Management Maintenance Agreement and shall be maintained in a fashion consistent with their intent by all (current and future) property owners and assigns. Prior approval from the Department of Public

Works shall be obtained before nonstructural stormwater practices are altered.

3. Alternative structural and nonstructural stormwater management practices may be used for new development water quality control if they meet the performance criteria established in the Design Manual and approved by the administration. Practices used for redevelopment projects shall be approved by the Department of Public Works.
4. For the purposes of modifying the minimum control requirements or design criteria, the owner/developer shall submit to the Department of Public Works an analysis of the impacts of stormwater flows downstream in the watershed. The analysis shall include hydrologic and hydraulic calculations necessary to determine the impact of hydrograph timing modifications of the proposed development upon any downstream area and any downstream appurtenances, structure, obstructions and hydraulically significant natural features. The points of investigation are to be established with the concurrence of the Department of Public Works.
5. Stormwater management and development plans where applicable, shall be consistent with adopted and approved watershed management plans, flood management or floodplain management plans as approved by the Maryland Department of the Environment in accordance with the Flood Hazard Management Act of 1976 and any subsequent revisions.

Section 17.10.090 Specific design criteria and analytical methods.

- A. Stormwater management design criteria, methodologies, and construction specifications shall be subject to the approval of the Department of Public Works, and shall satisfy the requirements of the of the Design Manual.
- B. Wherever possible, the applicant shall incorporate and enhance existing natural topography and land cover such as wetlands, ponds, natural swales, and depressions into the proposed development design.
- C. Stormwater management practices shall be designed for water quality enhancement and to facilitate maintenance of the Stormwater Management Facility.
- D. All retention and detention basins shall contain forebays to facilitate the maintenance of the basins. The forebays shall accommodate an approved percentage of the total volume of the basin, based on accepted engineering practices.

Section 17.10.100 Stormwater management plans.

- A. Review and Approval of Stormwater Management Plans.
 1. Unless otherwise exempted, for any proposed development, the owner or his agent shall submit to the Department of Public Works for review and approval, a stormwater management plan or waiver application as part of the Grading Permit Application. The stormwater management plan shall contain supporting computations, drawings, and sufficient information describing the manner, location, and type of measures in which stormwater runoff from the entire development will be managed. The Department of Public Works shall review the plan to determine compliance with the requirements of this Chapter prior to approval. The plan shall serve as the basis for all subsequent construction.
 2. Issuance of the Grading Permit shall constitute approval of the Stormwater Management Plan for construction.

1 B. Contents of the Stormwater Management Plan.

- 2
- 3 1. A stormwater management plan that satisfies the design requirements of this
- 4 Chapter shall be submitted in accordance with the format established by the
- 5 Department of Public Works.
- 6

7 C. Preparation of the Stormwater Management Plan.

- 8
- 9 1. The stormwater management plan shall be prepared under the general
- 10 supervision of a Professional Engineer registered to practice in the State of
- 11 Maryland. The Professional Engineer and any other design professional
- 12 involved in the preparation of any stormwater management plan submitted
- 13 to the Department of Public Works, shall sign and seal the plan.
- 14
- 15 2. If a stormwater management plan requires either a dam safety permit from
- 16 the Administration or a small pond approval from the Anne Arundel Soil
- 17 Conservation District, then the dam and/or pond design shall be prepared,
- 18 signed and sealed by a Professional Engineer registered to practice in the
- 19 State of Maryland.
- 20

21 D. Design Requirements

- 22
- 23 1. Stormwater management facilities shall be designed to minimize the need of
- 24 maintenance, to provide access for maintenance purposes and to be
- 25 structurally sound.
- 26

27 Additionally, a stormwater management facility shall be designed in

28 accordance with standard construction specifications and details established

29 and promulgated by the Department of Public Works.

30

- 31 2. Prior to approval of a stormwater management design, the applicant shall
- 32 submit a proposed staged inspection and construction control schedule. The
- 33 schedule shall provide for regular inspections by a registered Professional
- 34 Engineer to be conducted during construction of stormwater management
- 35 systems in accordance with accepted engineering practices.
- 36
- 37 3. The permittee shall notify the Department of Public Works before
- 38 commencing any work to implement the stormwater management plan and
- 39 upon completion of the work.
- 40
- 41 4. No stage of work involving the installation of stormwater management
- 42 facilities shall proceed until the work previously completed is inspected and
- 43 approved by the Department of Public Works.
- 44
- 45 5. Any portion of the work that does not comply with the stormwater
- 46 management plan shall be corrected promptly by the permittee.
- 47
- 48 6. A final inspection shall be conducted by the Department of Public Works
- 49 upon completion of the stormwater management facility to determine if the
- 50 completed work is constructed in accordance with the approved stormwater
- 51 management plan. The final inspection by the Department of Public Works
- 52 does not relieve the permittee of any of requirement imposed on the
- 53 permittee by this Chapter.
- 54

55 E. Construction Compliance

56

57 Archiveable and reproducible as-built plans of the stormwater management facility

58 shall be forwarded to the Department of Public Works upon completion of the

59 stormwater management facility and final inspection by the Department of Public

60 Works. The permittee's professional engineer shall certify that the stormwater

management facility has been constructed as shown on the as-built plans and that the stormwater management facility meets the approved stormwater management plan's design and specifications.

F. Electronic Documentation

The Director of Public Works may require the permittee and his engineer to submit all of the documents associated with the Grading Permit in an electronic format for archiving purposes. The documents shall be submitted in the format required by the Director of Public Works.

G. Release of Security

The Performance Bond shall not be released until all aspects of the Stormwater Management Plan are completed, including, but not limited to:

1. The submission and acceptance of As Built Drawings in accordance with Subsection E of this Section,
2. The completion of all forms required by the Administration, and
3. The stormwater management facility has been in operation for a minimum of one year without failure.

Section 17.10.110 Right-to-discharge.

A. If a stormwater management plan involves conveyance of runoff from a site, the applicant shall:

1. Provide written notification to all property owners within 500 feet downstream of the proposed terminus point at which runoff will be discharged of the intended stormwater management plan; and
2. Obtain from property owners adjacent to the intended terminus point at which runoff will be discharged any necessary Right to Discharge or other property interests required to authorize the flowage of water.

B. Approval of a stormwater management plan shall not be construed to create or affect any real property rights.

Section 17.10.120 Waivers.

A. Upon the written application of the property owner or his agent, the Director of Public Works may waive any stormwater management requirement set forth in this chapter provided the applicant demonstrates the waiver:

1. Does not present an unacceptable risk of flooding, water quality degradation or other stormwater damage to the subject drainage area resulting from the land disturbing and development activity and
2. The waiver is in the best interest of the City based upon a consideration of the effectiveness and safety of the proposed alternative to the requirement.

In reviewing a request for a waiver, the Director of Public Works shall:

1. Consider each requested waiver on a case-by-case basis;
2. Consider the cumulative effects of the Department of Public Work's waiver policy; and

3. Consider the effect of the waiver to reasonably ensure the development will not adversely impact stream quality.

B. The Director of Public Works may waive any on-site stormwater quantity management requirement set forth in this Chapter if, in addition to the determinations set forth in subsection A of this section, the Director determines that:

1. The applicant has submitted an acceptable alternative to on-site stormwater quantity management, such as an off-site stormwater management facility, that fulfills the intent and the provisions of this Chapter; or

2. The site is immediately adjacent to tidewaters and water quantity management would not serve the intent of this Chapter; or

3. Circumstances exist that prevent the reasonable implementation of quantity control practices.

C. The Director of Public Works may waive any on-site stormwater quality management requirement set forth in this Chapter if, in addition to the determinations set forth in subsection A of this section, the Director of Public Works determines that:

1. On site water quality management is infeasible and the applicant has submitted an acceptable alternative to onsite stormwater quality, such as an off-site stormwater management facility, that fulfills the intent and the provisions of this Chapter; or

2. In the case of a redevelopment project, the requirements of Section 17.010.110B have been satisfied.

D. If the Director of Public Works determines that a waiver is appropriate under this Section but that the construction of the proposed alternative to on-site stormwater quantity or quality management is not be in the City's interest, the Director of Public Works may require the applicant to make a monetary contribution to the stormwater utility or to an identified City Capital Project intended to provide water quantity and/or quality improvements to the drainage basin in which the proposed development site is located. The amount of the contribution shall not exceed the cost of constructing an effective on-site stormwater management facility, including the value of the land that would be required to construct the stormwater management facility, as well as the cost of constructing, landscaping and perpetually maintaining the facility. The cost of perpetually maintaining the stormwater management facility is presumed to equal to the cost of constructing the stormwater management facility.

Section 17.10.130 Reserved.

Section 17.10.140 Modifications.

Upon written application of the property owner or his agent, the Director of Public Works may grant a written modification to any requirement of Section 17.10.080 if there are exceptional circumstances applicable to the site such that strict adherence to the requirement would result in unnecessary hardship and would not fulfill the intent of the Chapter. The application shall state the specific modifications sought and the reasons for the desired modifications. The Director of Public Works shall not grant a modification to any requirement of Section 17.10.080 except for good cause shown by the applicant requesting the modification.

Section 17.10.150 Permits.

A. Permit Requirement.

1. A Grading Permit shall not be issued for any parcel or lot unless a

stormwater management plan, meeting all of the requirements of this Chapter, has been approved or waived by the Department of Public Works. Where appropriate, a Grading Permit shall not be issued without:

- a. Approval of the Anne Arundel Soil Conservation District;
- b. A recorded Private Stormwater Management Facility Inspection and Maintenance Agreement pursuant to Section 17.10.190;
- c. A performance bond; and
- d. Proof of property interests as required under Section 17.10.110.

B. Permit Suspension and Revocation.

1. Grading Permit issued by the Department of Public Works may be suspended or revoked by giving written notice thereof to the permittee, if the Director of Public Works finds any of the following:
 - a. Violation of any condition of the stormwater management plan approval.
 - b. Change in any site runoff characteristics upon which an approval or waiver was granted.
 - c. Construction of a stormwater management facility not in accordance with the approved plan.
 - d. Noncompliance with a correction notice or a stop work order related to the construction of the stormwater management facility.
 - e. An immediate danger to a downstream area.
2. The grounds for suspension or revocation set forth in the preceding Subsection are in addition to, and are not intended to supercede, other grounds for the issuance of a Stop Work Order or the suspension or revocation of a Grading Permit.

C. Permit Conditions.

In granting a stormwater management plan approval, the Director of Public Works may impose such terms and conditions that the Director may deem necessary to ensure compliance with the provisions of this Chapter and the preservation of the public health and safety.

Section 17.10.160 Performance bond.

- A. Prior to the issuance of a Grading Permit for any construction requiring a stormwater management facility, the applicant shall provide the City of Annapolis with a surety or cash bond, irrevocable letter of credit, or other means of security acceptable to the City Attorney in a format acceptable to the City Attorney. The amount of the security shall not be less than the total estimated construction cost of the stormwater management facility.
- B. The security shall not be fully released until all aspects of the stormwater management plan are completed, including, but not limited to:
 1. the submission and acceptance of As Built Drawings in accordance with Subsection G of Section 17.10.100,

2. the completion of all forms required by the Administration, and

3. the storm water management facility has been in operation for a minimum of one year without failure.

Section 17.10.170 Ownership and maintenance of stormwater management facilities.

A. All stormwater management facilities that serve a single lot, facility or subdivision shall be privately owned and privately maintained except as provide in Subsection C of this Section.

B. All stormwater management facilities measures relying on vegetated areas or site features shall be privately owned and privately maintained.

C. At the discretion of the Director of Public Works, a regional stormwater management facility may be publicly owned and publicly maintained. If a regional stormwater management facility is to be publicly owned, it shall be conveyed to the City of Annapolis prior to the final release of security.

Section 17.10.180 Stormwater utility fund.

A. A Stormwater Utility Fund may be established and the moneys therein be used by the City for land acquisition (including easements and rights-of-way), and the study, engineering, design, purchase, construction, expansion, repair, maintenance, landscaping and inspection of public stormwater management systems.

B. The Stormwater Utility Fund fee schedule applicable to the fund shall be established by resolution of the City Council.

C. In the case of an application for a waiver to on-site water quantity and/or water quality management under this Chapter, the Director of Public Works may in his discretion accept the conveyance of an interest in land, the construction of a stormwater management facility, the scheduled fee or any equivalent combination thereof as the stormwater utility fee.

D. The Director of Public Works shall not accept a conveyance of land or the construction of a stormwater management facility pursuant to the preceding subsection that does not cover adequately the cost to the City of managing the stormwater generated from the subject property or if such acceptance is otherwise not in the interest of the City.

Section 17.10.190 Private stormwater management facility inspection and maintenance agreement.

A. Prior to the issuance of any building or grading permit which has a private stormwater management facility as one of the requirements of the permit, the applicant shall execute and deliver to the Department of Public Works, a Stormwater Management Facility Inspection and Maintenance Agreement binding on the applicant (its successors and assigns) and on all owners (their successors and assigns) of land served by the stormwater management facility.

B. The agreement required by the preceding Subsection shall:

1. Authorize access to the stormwater management facility at reasonable times, for periodic inspection by the City (or its contractor or agent),

2. Require the property owner and/beneficial users periodically inspect and maintain the stormwater management facility in a proper working condition satisfying the requirements of this Chapter.

3. Include such other items and conditions as the Director of Public Works may require.

C. The agreement required by this section shall also provide that if, after notice by the Director of Public Works to correct a violation of this Chapter, satisfactory corrective measures have not been completed by the owner and or beneficial users within the time specified in the notice, the Director of Public Works may cause to be performed all necessary work to correct the violation and may assess the owner, and/or beneficial users, the cost of the work. The agreement shall further provide that the cost of the work shall constitute a lien on the property and may be placed on the tax bill for the property and collected in the same manner as property taxes. The agreement shall also provide that the owner and/or beneficial users shall be liable for interest, calculated at the maximum legal rate, on the unpaid balance of any such charges until paid, as well as reasonable attorney fees incurred by the City in collecting such balance.

D. The agreement required by this Section shall be recorded among the Land Records of Anne Arundel County. The cost of such recordation shall be paid by the applicant or the owner.

Section 17.10.200 Responsibility of permittee and owner.

The permittee and owner shall be jointly responsible for the installation of the stormwater management facility in compliance with the provisions of this Chapter.

Section 17.10.210 Inspection program.

A. All privately owned stormwater management facilities shall be inspected during construction, during the first year of operation, and annually thereafter.

B. All privately owned stormwater management facilities shall be inspected and maintained in accordance with the Stormwater Management Facility Inspection and Maintenance Agreement. Not later than August first of each year, the owner and/or beneficial users shall provide the Department of Public Works with an inspection and maintenance report, in such format as may be specified by the Director of Public Works.

C. The Department of Public Works shall maintain copies of inspection and maintenance reports for privately owned stormwater management facilities among their Departmental Records for a period of seven years from the date of the inspection.

Section 17.10.220 Emergency authority.

If the Director of Public Works determines that the condition of any stormwater management facility, storm drainage system or drainage way presents an immediate danger to the public health or safety, the Director of Public Works may take any action to protect the public. Costs incurred by the City as a result such action shall be assessed against the owners and beneficial uses of the stormwater management facility, who shall be jointly and severally liable for such costs. The property served by the stormwater management facility shall be subject to a lien for the costs that may be placed on the tax bill for such property and collected in the same manner as property taxes.

Section 17.10.230 Interpretation.

In interpreting and applying this Chapter, the stated requirements are declared to be minimum requirements which are imposed and are in addition to, and not in lieu of, all other legal requirements, and shall be interpreted to accomplish the purposes set forth in Section 17.10.010. The provisions of this Chapter shall be applied prospectively and any

amendments hereto shall not apply to sites for which grading or building permit applications have been filed on or before that date which is 45 days after adoption.

Section 17.10.240 Penalties.

Any person convicted of violating any provision of this Chapter shall be guilty of a misdemeanor, and upon conviction thereof, shall be subject to a fine of not more than One Thousand Dollars (\$1,000.00) or imprisonment not exceeding 6 months or both for each violation. Each day that a violation continues shall constitute a separate offense. In addition, the City may institute any action in law or equity to enforce the provisions of this Chapter.

Section 17.10.250 Severability.

If any portion of this Chapter is held invalid or unconstitutional by a court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this Chapter. It is the intent of the City of Annapolis that the remainder of this Chapter shall remain in full force and effect if any section, subsection, sentence, clause, phrase, or portion may be found invalid.

SECTION II: AND BE IT FURTHER ESTABLISHED AND ORDAINED BY THE ANNAPOLIS CITY COUNCIL that this Ordinance shall take effect from the date of its passage.

Seconded. Carried on voice vote.

Alderman Carter moved to adopt O-10-02 Revised #2 on third reading. Seconded. Carried on voice vote.

Upon motion duly made, seconded and adopted, the meeting was adjourned at 8:44 p.m.

Cynthia L. Brannan
Legislative Specialist